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Attorneys for Respondent

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOSEPH GRICE.

Petitioner,

v.

## **JOHN MARSHALL, Warden,**

## Respondent.

C 07-2490 PJH (PR)

**DECLARATION OF COUNSEL IN  
SUPPORT OF RESPONDENT'S  
MOTION FOR EXTENSIONS OF  
TIME TO FILE RESPONSE TO  
DISCOVERY REQUEST AND TO  
FILE ANSWER TO ORDER TO  
SHOW CAUSE-FIRST REQUEST**

I, JOHN R. VANCE, JR., declare under penalty of perjury as follows:

20       1. I am a Deputy Attorney General for the State of California and represent respondent  
21 in this matter.

22       2. Pursuant to this Court's order, respondent's response to petitioner's discovery request  
23 is due July 5, 2007 and his answer to the order to show cause is due August 4, 2007.

24       3. I have reviewed the petition, have requested a paralegal to obtain a copy of  
25 petitioner's discovery motion, and have ordered the record in this matter. I will not be able to  
26 complete our answer, have it approved, and filed within the time already allotted. I will be on  
27 vacation from Monday, June 18, 2007 and will not be returning to the office until Monday, July 15,  
28 2007.

1       4. For the reasons set out in paragraphs 4 and 5, I request that the time to respond to  
2 petitioner's discovery request be extended to September 5, 2007, and the time to respond to the order  
3 to show cause be extended to October 6, 2007.

4       5. When I return, I will have the following cases which I must complete: *People v.*  
5 *Meneses*, A113017; *People v. Dilbert*, A11802; *People v. Castro*, H030462; *Garcia v. Mendoza-*  
6 *Powers*, C 06-07844; *Kingdom v. A. A. Lamerque*, 07-15549; and *Rogers v. Mendoza-Powers*, 06-  
7 7232 JF.

8       6. Petitioner was convicted of aggravated mayhem (Cal. Pen. Code § 205), and he was  
9 sentenced to life in prison with the possibility of parole.

10 || 7. As petitioner is pro se, I have not contacted him.

I declare under penalty of perjury of the laws of the State of California and the United States of America that the foregoing is true and correct. Executed at San Francisco, California.

13 || Dated: June 14, 2007

Respectfully submitted,

**EDMUND G. BROWN JR.**  
Attorney General of the State of California

DANE R. GILLETTE  
Chief Assistant Attorney General

**GERALD A. ENGLER**  
Senior Assistant Attorney General

**PEGGY S. RUFFRA**  
Supervising Deputy Attorney General

/s/ John R. Vance, Jr.

**JOHN R. VANCE, JR.**  
Deputy Attorney General  
Attorneys for Respondent

Grice, J.Decl.wpd  
SF2007401543

**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: ***Joseph Grice v. John Marshall, Warden***

No.: **C 07-2490 PJH (PR)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On June 15, 2007, I served the attached:

- 1. RESPONDENT'S MOTION FOR EXTENSIONS OF TIME TO FILE RESPONSE TO DISCOVERY REQUEST AND TO FILE ANSWER TO ORDER TO SHOW CAUSE-FIRST REQUEST;**
- 2. DECLARATION OF COUNSEL IN SUPPORT OF RESPONDENT'S MOTION FOR EXTENSIONS OF TIME TO FILE RESPONSE TO DISCOVERY REQUEST AND TO FILE ANSWER TO ORDER TO SHOW CAUSE-FIRST REQUEST; and**
- 3. ORDER**

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

Joseph Grice  
V-30099  
P.O. Box 8101  
San Luis Obispo, CA 93409-8101

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on June 15, 2007, at San Francisco, California.

/s/ J. Espinosa

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J. Espinosa, Declarant